

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

03-MDL-1570 (GBD)(SN)

**TERRORIST ATTACKS ON
SEPTEMBER 11, 2001**

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Shirley Magee, as Personal Representative and/or
Proposed Administrator of the Estate of Alfred
Swanton, deceased

**18-cv-12372
(GBD)(SN)**

Shirley Magee, as the Spouse of Alfred Swanton,
deceased

William Schutt

**SAUDI ARABIA SHORT
FORM COMPLAINT AND
DEMAND FOR TRIAL BY
JURY**

Martin Schwartz

Nanette Scott, as Personal Representative and/or
Proposed Administrator of the Estate of Glenn Scott,
deceased

Nanette Scott, as the Spouse of Glenn Scott

Mary Ellen Scotto, as Personal Representative and/or
Proposed Administrator of the Estate of Frank Scotto,
deceased

Mary Ellen Scotto, as the Spouse of Frank Scotto

Ramchal Seeteram

Bryant Semenza

Vincent Serapiglia

Natalia Serna

Angel Serrano

Moises Serrano

John Sharkey

Larry Sharpe

Donna Shaw

Scott Shaw

Edward Sheehy

Levie Shuemaker

Anthony Siconolfi

Michael Sigault

Jon Sigismondi

Mary Silvestri, as Personal Representative and/or
Proposed Administrator of the Estate of Domenick
Silvestri, deceased

Mary Silvestri, as the Spouse of Domenick Silvestri

Jennifer Simanowitz, as Personal Representative and/or
Proposed Administrator of the Estate of Michael
Simanowitz, deceased

Jennifer Simanowitz, as the Spouse of Michael
Simanowitz

Arthur Simms

Michael Simon

Albert Singleton

Terence Slane

Lawrence Small

Edward Smith

Nancy Smith, as Personal Representative and/or
Proposed Administrator of the Estate of Bradford
Smith, deceased

Nancy Smith, as the Spouse of Bradford Smith

Carmine Somma

Juan Sonera

John Sorrentino

Hector Soto

Theresa Spano, as Personal Representative and/or
Proposed Administrator of the Estate of Stephen Spano,
deceased

Theresa Spano, as the Spouse of Stephen Spano

Andrew Spieler

Edward Spinelli

Richard Spinelli

Joseph Spruill Jr.

Hilliard Starke

Jeffrey Stavitsky

Charles Steed

Eric Stern

Valentine Stevens

James Stewart

John Stewart Jr.

Joseph M. Stillitano

Bruce Strausberg

Sadie Strausberg

Aine Stuttard, as Personal Representative and/or
Proposed Administrator of the Estate of Anne Corridan,
deceased

Aine Stuttard, as the Child of Anne Corridan

Edgard Suarez

John Sugrue

William Sutton

Michael Swannick

Anthony Sylvester

Michael Tadros

Brian Talarico

Joseph Tallini

Allan Tannenbaum

Debora Tannenbaum

Angelo Tanzi

Darryl Taylor

Leonard L. Taylor

Margaret Taylor, as Personal Representative and/or
Proposed Administrator of the Estate of Robert Taylor,
deceased

Margaret Taylor, as the Spouse of Robert Taylor

Ronald Taylor

William Teller

Robert Teraskiewicz

Thomas Testa

Edwin Thomas

Maurice Thomas

Percy Thomas

Theodore Thomas

Daniel Thompson

Michael Thompson

Oscar Thompson

Steven Thompson

James Thomsen

Marc Thrift

Peter Tilley

Ralph Tisei

Plaintiff(s),

-against-

KINGDOM OF SAUDI ARABIA,

Defendant.

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Plaintiffs named herein by and through the undersigned counsel file this Short Form Complaint against Defendant, the Kingdom of Saudi Arabia, arising out of the September 11, 2001 terrorist attacks (“September 11, 2001 Terrorist Attacks”), as permitted and approved by the Court’s Order of July 10, 2018, ECF No. 4045. Each Plaintiff incorporates by reference the specific allegations, as indicated below, of (a) the Consolidated Amended Complaint as to the Kingdom of Saudi Arabia, ECF No. 3463, or (b) the Complaint Against the Kingdom of Saudi Arabia, Ashton v. Kingdom of Saudi Arabia, No. 17-CV-2003 (GBD)(SN) (S.D.N.Y. Mar. 30, 2017), ECF No. 1.

Upon filing this Saudi Arabia Short Form Complaint, each Plaintiff is deemed to have adopted all factual and jurisdictional allegations of the complaint that has been joined as specified below; all prior filings in connection with that complaint; and all prior Orders and rulings of the Court in connection with that complaint.

VENUE

1. Venue in this district is proper pursuant to 28 U.S.C. §§ 1391(b)(2) and 1391(f)(1), as a substantial part of the events giving rise to the claims asserted herein occurred in this district. Venue is also proper in this district pursuant to 18 U.S.C. § 2334(a).

JURISDICTION

2. Jurisdiction is premised on the grounds set forth in the complaints specified below, and further, jurisdiction of this Saudi Arabia Short Form Complaint is premised upon and applicable to all defendants in this action:

- ☒ 28 U.S.C. § 1605(a)(5) (non-commercial tort exception)
- ☒ 28 U.S.C. § 1605B (Justice Against Sponsors of Terrorism Act)
- ☒ 28 U.S.C. § 1330 (actions against foreign states)

- ☐ Other (set forth below the basis of any additional ground for jurisdiction and plead such in sufficient detail as per the FRCP): _____

_____.

CAUSES OF ACTION

3. Each Plaintiff hereby adopts and incorporates herein by reference the following factual allegations, jurisdictional allegations, and jury trial demand in the following complaint [**check only one complaint**] and the following causes of action set forth in that complaint:

- ☐ **Consolidated Amended Complaints as to the Kingdom of Saudi Arabia, ECF No. 3463 (check all causes of action that apply)**
- ☐ COUNT I – Aiding and Abetting and Conspiring with Al Qaeda to Commit the September 11th Attacks upon the United States in violation of 18 U.S.C. § 2333(d) (JASTA).
- ☐ COUNT II – Aiding and Abetting and Conspiring with Al Qaeda to Commit the September 11th Attacks upon the United States in violation of 18 U.S.C. § 2333(a).
- ☐ COUNT III – Committing Acts of International Terrorism in violation of 18 U.S.C. § 2333.
- ☐ COUNT IV – Wrongful Death.
- ☐ COUNT V – Alien Tort Claims Act.
- ☐ COUNT VI – Assault and Battery.
- ☐ COUNT VII – Conspiracy.
- ☐ COUNT VIII – Aiding and Abetting.
- ☐ COUNT IX – Intentional Infliction of Emotional Distress.
- ☐ COUNT X – Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency § 7.05: Supervising Employees and Agents.

- ☐ COUNT XI – Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency § 7.05: Hiring, Selecting, and Retaining Employees and Agents.
- ☐ COUNT XI – 18 U.S.C. § 1962(a)-(d) – CIVIL RICO.
- ☐ COUNT XII – Trespass.
- ☐ COUNT XII – Violations of International Law.

☒ **Complaint Against the Kingdom of Saudi Arabia, *Ashton v. Kingdom of Saudi Arabia*, No. 17-CV-2003 (GBD)(SN) (S.D.N.Y. Mar. 30, 2017), ECF No. 1 (check all causes of action that apply)**

- ☒ First Cause of Action to Recover Wrongful Death Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *eq. seq.* (the Anti-Terrorism Act or ATA)
- ☒ First Cause of Action to Recover Personal Injury Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *eq. seq.* (the Anti-Terrorism Act or ATA)
- ☒ Second Cause of Action for Wrongful Death Damages Pursuant to State Tort Law
- ☒ Second Cause of Action for Personal Injury Damages Pursuant to State Tort Law
- ☒ Third Cause of Action for Wrongful Death Damages Pursuant to the Alien Tort Claims Act
- ☒ Third Cause of Action for Personal Injury Damages Pursuant to the Alien Tort Claims Act

- ☐ Each Plaintiff asserts the following additional theories and/or Causes of Action against the Kingdom of Saudi Arabia: _____

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IDENTIFICATION OF PLAINTIFFS

4. The following allegations and information are alleged on behalf of each individual who is bringing this claim, as indicated on Appendix 1 to this Saudi Arabia Short Form Complaint, herein referred to as “Plaintiffs.”

- a. The citizenship/nationality of each Plaintiff is indicated at Appendix 1 to this Saudi Arabia Short Form Complaint.
- b. Plaintiff is entitled to recover damages on the causes of action set forth in this Saudi Arabia Short Form Complaint.
- c. As indicated at Appendix 1, Plaintiff (i) is the estate representative of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; (ii) is the surviving immediate family member of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; and/or (iii) suffered physical injuries as a result of the September 11, 2001 Terrorist Attacks.
- d. For those plaintiffs with personal injury claims, as indicated in Appendix 1, on or after September 11, 2001, said Plaintiff was present at the Pentagon and/or the World Trade Center site and/or its surroundings and/or lower Manhattan and/or at an area wherein he/she was exposed to toxins as a result of the terrorist attacks and was exposed to toxins from the attacks, and/or was otherwise injured, and/or as otherwise alleged, as stated specifically in Appendix 1.
- e. For those plaintiffs with personal injury and/or wrongful death claims, as indicated in Appendix 1, as a direct, proximate and foreseeable result of Defendant’s actions or inactions, Plaintiff or his or her decedent suffered bodily injury and/or death, and consequently economic and other losses, including but not limited to pain and suffering, emotional distress, psychological injuries, and loss of enjoyment of life, and/or as described in the Saudi Arabia Short Form Complaint, and/or as otherwise may be specified in subsequent discovery proceedings, and/or as otherwise alleged in Appendix 1.
- f. The name, relationship to the injured and/or deceased September 11 victim, residency, citizenship/nationality, and the general nature of the claim for each plaintiff asserting wrongful death and/or solatium claims is listed on the attached Appendix 1, and is incorporated herein as allegations, with all allegations of the related complaints, as specified above, deemed alleged as to each Plaintiff.

IDENTIFICATION OF THE DEFENDANT

5. The only Defendant named in this Saudi Arabia Short Form Complaint is the Kingdom of Saudi Arabia.

NO WAIVER OF OTHER CLAIMS

6. By filing this Saudi Arabia Short Form Complaint, Plaintiff(s) is/are not waiving any right to file suit against any other potential defendants or parties.

7. By filing this Saudi Arabia Short Form Complaint, Plaintiff(s) are not opting out of any class that the Court may certify in the future.

JURY DEMAND

8. Each Plaintiff hereby demands a trial by jury as to the claims in this action.

WHEREFORE, Plaintiffs pray for relief and judgment against Defendant as set forth in this Saudi Arabia Short Form Complaint as appropriate.

Respectfully submitted,

THE DEARIE LAW FIRM, P.C.

BY: /s/ John P. Dearie
John P. Dearie, Esq.
515 Madison Avenue, 11th Floor
New York, New York 10022
Tel: 212-980-0404
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APPENDIX 1

Each line below is deemed an allegation, incorporating the allegations, language, and references within the Saudi Arabia Short Form Complaint, to which this Appendix 1 is appended and shall be referenced as Allegation 1 of Appendix 1 to the Saudi Arabia Short Form Complaint, Allegation 2 of Appendix 1 to the Saudi Arabia Short Form Complaint, etc.

	<u>Plaintiff's Name (alphabetical by last name)</u>	<u>Plaintiff's State of Residency at Filing (or death)</u>	<u>Plaintiff's Citizenship / Nationality on 9/11/2001</u>	<u>9/11 Decedent's Full Name</u>	<u>Plaintiff's Relationship to 9/11 Decedent</u>	<u>9/11 Decedent's Citizenship / Nationality on 9/11/2001</u>	<u>Nature of Claim (wrongful death, solatium, personal injury)</u>
1	Shirley Magee	NJ	United States	Alfred Swanton	Personal Representative	United States	Wrongful Death
2	Shirley Magee	NJ	United States	Alfred Swanton	Spouse	United States	Solatium
3	William Schutt	NY	United States	N/A	N/A	N/A	Personal Injury
4	Martin Schwartz	FL	United States	N/A	N/A	N/A	Personal Injury
5	Nanette Scott	NY	United States	Glenn Scott	Personal Representative	United States	Wrongful Death
6	Nanette Scott	NY	United States	Glenn Scott	Spouse	United States	Solatium
7	Mary Ellen Scotto	NY	United States	Frank Scotto	Personal Representative	United States	Wrongful Death
8	Mary Ellen Scotto	NY	United States	Frank Scotto	Spouse	United States	Solatium
9	Ramchal Seeteram	NY	United States	N/A	N/A	N/A	Personal Injury
10	Bryant Semenza	PA	United States	N/A	N/A	N/A	Personal Injury
11	Vincent Serapiglia	NY	United States	N/A	N/A	N/A	Personal Injury
12	Natalia Serna	NY	United States	N/A	N/A	N/A	Personal Injury
13	Angel Serrano	FL	United States	N/A	N/A	N/A	Personal Injury

14	Moises Serrano	PA	United States	N/A	N/A	N/A	Personal Injury
15	John Sharkey	NY	United States	N/A	N/A	N/A	Personal Injury
16	Larry Sharpe	NJ	United States	N/A	N/A	N/A	Personal Injury
17	Donna Shaw	NY	United States	N/A	N/A	N/A	Personal Injury
18	Scott Shaw	MA	United States	N/A	N/A	N/A	Personal Injury
19	Edward Sheehy	SC	United States	N/A	N/A	N/A	Personal Injury
20	Levie Shuemake	NY	United States	N/A	N/A	N/A	Personal Injury
21	Anthony Siconolfi	NY	United States	N/A	N/A	N/A	Personal Injury
22	Michael Sigault	NY	United States	N/A	N/A	N/A	Personal Injury
23	Jon Sigismondi	AZ	United States	N/A	N/A	N/A	Personal Injury
24	Mary Silvestri	NY	United States	Domenick Silvestri	Personal Representative	United States	Wrongful Death
25	Mary Silvestri	NY	United States	Domenick Silvestri	Spouse	United States	Solatum
26	Jennifer Simanowitz	NY	United States	Michael Simanowitz	Personal Representative	United States	Wrongful Death
27	Jennifer Simanowitz	NY	United States	Michael Simanowitz	Spouse	United States	Solatum
28	Arthur Simms	NY	United States	N/A	N/A	N/A	Personal Injury
29	Michael Simon	NY	United States	N/A	N/A	N/A	Personal Injury
30	Albert Singleton	PA	United States	N/A	N/A	N/A	Personal Injury
31	Terence Slane	FL	United States	N/A	N/A	N/A	Personal Injury
32	Lawrence Small	FL	United States	N/A	N/A	N/A	Personal Injury
33	Edward Smith	GA	United States	N/A	N/A	N/A	Personal Injury
34	Nancy Smith	NY	United States	Bradford Smith	Personal Representative	United States	Wrongful Death
35	Nancy Smith	NY	United States	Bradford Smith	Spouse	United States	Solatum
36	Carmine Somma	CT	United States	N/A	N/A	N/A	Personal Injury

37	Juan Sonera	FL	United States	N/A	N/A	N/A	Personal Injury
38	John Sorrentino	NY	United States	N/A	N/A	N/A	Personal Injury
39	Hector Soto	UT	United States	N/A	N/A	N/A	Personal Injury
40	Theresa Spano	NY	United States	Stephen Spano	Personal Representative	United States	Wrongful Death
41	Theresa Spano	NY	United States	Stephen Spano	Spouse	United States	Solatum
42	Andrew Spieler	NY	United States	N/A	N/A	N/A	Personal Injury
43	Edward Spinelli	NJ	United States	N/A	N/A	N/A	Personal Injury
44	Richard Spinelli	FL	United States	N/A	N/A	N/A	Personal Injury
45	Joseph Spruill Jr.	NC	United States	N/A	N/A	N/A	Personal Injury
46	Hilliard Starke	NY	United States	N/A	N/A	N/A	Personal Injury
47	Jeffrey Stavitsky	FL	United States	N/A	N/A	N/A	Personal Injury
48	Charles Steed	NY	United States	N/A	N/A	N/A	Personal Injury
49	Eric Stern	NY	United States	N/A	N/A	N/A	Personal Injury
50	Valentine Stevens	NY	United States	N/A	N/A	N/A	Personal Injury
51	James Stewart	NY	United States	N/A	N/A	N/A	Personal Injury
52	John Stewart Jr.	FL	United States	N/A	N/A	N/A	Personal Injury
53	Joseph M. Stillitano	NY	United States	N/A	N/A	N/A	Personal Injury
54	Bruce Strausberg	NY	United States	N/A	N/A	N/A	Personal Injury
55	Sadie Strausberg	NY	United States	N/A	N/A	N/A	Personal Injury
56	Aine Stuttard	NY	United States	Anne Corridan	Personal Representative	United States	Wrongful Death
57	Aine Stuttard	NY	United States	Anne Corridan	Child	United States	Solatum
58	Edgard Suarez	NJ	United States	N/A	N/A	N/A	Personal Injury
59	John Sugrue	NY	United States	N/A	N/A	N/A	Personal Injury

60	William Sutton	NJ	United States	N/A	N/A	N/A	Personal Injury
61	Michael Swannick	FL	United States	N/A	N/A	N/A	Personal Injury
62	Anthony Sylvester	NY	United States	N/A	N/A	N/A	Personal Injury
63	Michael Tadros	NJ	United States	N/A	N/A	N/A	Personal Injury
64	Brian Talarico	NY	United States	N/A	N/A	N/A	Personal Injury
65	Joseph Tallini	NY	United States	N/A	N/A	N/A	Personal Injury
66	Allan Tannenbaum	NY	United States	N/A	N/A	N/A	Personal Injury
67	Debora Tannenbaum	NY	United States	N/A	N/A	N/A	Personal Injury
68	Angelo Tanzi	NJ	United States	N/A	N/A	N/A	Personal Injury
69	Darryl Taylor	NY	United States	N/A	N/A	N/A	Personal Injury
70	Leonard L. Taylor	NY	United States	N/A	N/A	N/A	Personal Injury
71	Margaret Taylor	NY	United States	Robert Taylor	Personal Representative	United States	Wrongful Death
72	Margaret Taylor	NY	United States	Robert Taylor	Spouse	United States	Solatium
73	Ronald Taylor	NJ	United States	N/A	N/A	N/A	Personal Injury
74	William Teller	NJ	United States	N/A	N/A	N/A	Personal Injury
75	Robert Teraskiewicz	NY	United States	N/A	N/A	N/A	Personal Injury
76	Thomas Testa	NY	United States	N/A	N/A	N/A	Personal Injury
77	Edwin Thomas	NY	United States	N/A	N/A	N/A	Personal Injury
78	Maurice Thomas	NY	United States	N/A	N/A	N/A	Personal Injury
79	Percy Thomas	NY	United States	N/A	N/A	N/A	Personal Injury
80	Theodore Thomas	NY	United States	N/A	N/A	N/A	Personal Injury
81	Daniel Thompson	NY	United States	N/A	N/A	N/A	Personal Injury
82	Michael Thompson	NJ	United States	N/A	N/A	N/A	Personal Injury

83	Oscar Thompson	NY	United States	N/A	N/A	N/A	Personal Injury
84	Steven Thompson	NY	United States	N/A	N/A	N/A	Personal Injury
85	James Thomsen	FL	United States	N/A	N/A	N/A	Personal Injury
86	Marc Thrift	NY	United States	N/A	N/A	N/A	Personal Injury
87	Peter Tilley	FL	United States	N/A	N/A	N/A	Personal Injury
88	Ralph Tisei	SC	United States	N/A	N/A	N/A	Personal Injury